THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.17772 OF 2007

DATED 5th September, 2007

Between:

M/s Oil & Natural Gas Corporation Ltd …Petitioner

And

Assistant Commissioner (CT) and three others …Respondents

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THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.17772 OF 2007

O R D E R *(Per the Hon'ble Sri Justice Bilal Nazki):*

Heard learned counsel for the parties.

This writ petition has been filed seeking stay of collection of the balance disputed tax, penalty and interest for the assessment period from April, 2006 to February, 2007, pending disposal of the appeals before the Sales Tax Appellate Tribunal (for short "the Tribunal).

Counter has been filed. The appeals filed by the petitioner are pending before the Tribunal. It is submitted by learned counsel for the petitioner that 50% of the disputed tax has already been paid by the petitioner, but according to the learned Special Standing Counsel for Commercial Taxes, the petitioner has also to pay certain amounts on account of penalty and interest.

In this view of the matter, we feel that it will be appropriate if the matters are left to be decided by the Tribunal, but in the interest of justice we direct that there shall not be any coercive action against the petitioner, as the petitioner has already paid 50% of the disputed tax and, in addition to that, he is directed to pay 25% of the penalty and 25% of the interest, within a period of four weeks from today.

The writ petition is accordingly disposed of. No order as to costs.

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Bilal Nazki,J

Dated 5th September, 2007

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Ramesh Ranganathan,J

Note: Issue wire at party's cost
(b/o)
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